

REMARKS

The present application includes claims 1-22. Claims 1-22 have been rejected by the Examiner. By this response, claims 1, 7 and 13 have been amended.

Independent claims 1, 7 and 13 have been amended to clarify that, while the trackball may be used to trigger movement at a medical diagnostic imaging system, trackball motion also translates to one or more commands for execution at the medical diagnostic imaging system. Neither Gaughan (U.S. Patent No. 5,589,893) nor Tynan (U.S. Patent No. 6,213,945) teaches generating a command by translating motion of a trackball or moveable portion to a command for execution at a medical diagnostic imaging system. Therefore, for at least that reason, the Applicant respectfully submits that the pending claims recite patentable subject matter and should be allowed.

Claims 1-3, 5-8 and 11-20 were rejected under 35 U.S.C. 103(a) as being anticipated by Tynan, U.S. Pat. No. 6,213,945 ("Tynan") in view of Gaughan et al., U.S. Pat. No. 5,589,893 ("Gaughan"). As previously discussed, Gaughan relates to an on-screen remote control of a television receiver. See, e.g., Abstract. Gaughan does not relate to a medical diagnostic imaging system. Gaughan has no applicability to a diagnostic imaging system. Furthermore, Gaughan does not teach or suggest use in a medical diagnostic imaging system environment. Rather, Gaughan discusses a remote control that allowed a user to control a television screen. See, e.g., Abstract. While a medical diagnostic imaging system includes a display, the display is not a medical diagnostic imaging system. Nor is the display an imaging system, in the sense that an imaging system is a system that obtains an image of an object. A television or other display

simply displays an image or picture that has already been obtained. Movement of the trackball in Gaughan simply moves a cursor in a viewing screen, rather than executing a command. Col. 4, line 40 – col. 5, line 11. Thus, Gaughan clearly does not teach or suggest all the limitations of claims 1-3, 5-8 and 11-20, as recited above and as amended.

Tynan relates to a method and system for generating a graphical vascular report. Abstract. Tynan mentions that the user interface may include a trackball to move delimiter bars around a segment of interest. Col: 2, line 29 – col. 3, line 52. However, Tynan also fails to teach generating a command through translation of motion of the trackball to a command for execution at the medical diagnostic imaging system.

Furthermore, with respect to dependent claim 20, as stated by the Examiner, Gaughan does not disclose using a fastener in a handheld device to attach the device to a user. The Examiner states that use of a fastener is known with cellular phones, so it would be obvious for a handheld device as well. The Applicant respectfully disagrees. Use of a fastener with a cellular phone does not necessarily translate to use of a fastener with a handheld control device. The two devices are different devices with very different applications and represent two different fields of technology. Therefore, the two devices are not analogous, and the use of a fastener in a cellular phone does not teach the use of a fastener with a handheld control device in a medical diagnostic imaging system. The Applicant respectfully submits that claim 20 should be allowable for at least these reasons.

Thus, any combination of Tynan and Gaughan similarly cannot teach or suggest all of the limitations of pending claims 1-3, 5-8 and 11-20 due to at least the lack of this element from both references.

Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome, and the claims should be allowed.

Additionally, with respect to dependent claims 21-22, Gaughan does not disclose a mousing device integrated with an instrument. Gaughan simply discloses the remote control itself, rather than a remote control integrated with another instrument, as recited in claim 21. See, e.g., Fig. 2 and col. 2, ln. 65 – col. 3, ln. 8. Furthermore, the remote control of Gaughan is not integrated into an imaging instrument or medical instrument, as recited in claim 22. See, e.g., Fig. 2 and col. 2, ln. 65 – col. 3, ln. 8. Therefore, the Applicant respectfully submits that claims 21-22 should be allowable.

The Applicant now turns to the rejection of claims 4 and 10 under 35 U.S.C. 103(a) as being unpatentable over Tynan in view of Gaughan and further in view of Chang, U.S. Pat. No. 5,298,919 ("Chang"). As previously discussed, Gaughan does not teach or suggest a remote device in a medical diagnostic imaging system. Furthermore, as stated by the Examiner, Gaughan does not disclose a wheel on a handheld device. The Examiner admits that Tynan does not disclose having a wheel on the device. Chang discloses a wheel in a computer mouse but does nothing to cure the fundamental defects of Gaughan with respect to the claimed invention, which is integrated into a medical diagnostic imaging system. Therefore, the Applicant respectfully submits that claims 4 and 10 are allowable for at least the reasons stated above.

The Applicant now turns to the rejection of claim 9 under 35 U.S.C. 103(a) as being unpatentable over Tynan in view of Gaughan and further in view of Applicant's "admitted" prior

art. As previously discussed, Gaughan does not teach or suggest a remote device in a medical diagnostic imaging system. Furthermore, as previously stated by the Examiner, Gaughan does not disclose use of a voice command. The Examiner admits that Tynan also does not disclose use of a voice command. Additionally, while voice command has been used with limited success in imaging systems, voice command has not been used in conjunction with the remote handheld device in a medical diagnostic imaging system, as recited in claim 9. Therefore, the Applicant respectfully submits that claim 9 should be allowable for at least the reasons stated above.

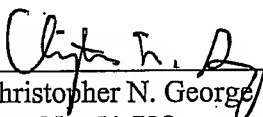
CONCLUSION

It is submitted that the present application is in condition for allowance and a Notice of Allowability is respectfully solicited. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GTC, Account No. 070845.

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Respectfully submitted,



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